

BEFORE THE KANSAS STATE BOARD OF NURSING

Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

FILED
FEB 24 2019
KSBN

IN THE MATTER OF
Cheyenne Nichole Lawson

License No. 23-45374-042

KSBN Case No. 18-617-8

SUMMARY ORDER

The above matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposes to find facts and take disciplinary action against the nurse license of Cheyenne Lawson, (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

1. a. Licensee is licensed to practice nursing in the state of Kansas. The Board has jurisdiction over the Licensee and the subject matter of this action.

 b. Licensee's address of record is 2529 SW 22nd Street, Topeka KS 66611.
2. The role of the Kansas State Board of Nursing is to protect citizens of Kansas.
3. Pursuant to K.S.A. 65-1120(a), the Kansas State Board of Nursing may deny, revoke, limit or suspend any license, certificate of qualification or authorization to practice nursing as a registered professional nurse, as a licensed practical nurse, as an advanced registered nurse practitioner or as a registered nurse anesthetist that is issued by the board or applied for under this act or may publicly or privately censure such person if certain enumerated grounds for disciplinary action are found. These grounds include various specific charges enumerated in K.S.A. 65-1120(a)(1) to (9), to include unprofessional conduct as defined by the ruled and regulations of the Board.

 Pursuant to K.S.A. 74-1110 the Kansas State Board of Nursing may also assess a civil fine not to exceed \$1,000.00 for the first violation of a law or rule and regulation applicable to the practice for which such person has been granted a license.
4. After an investigation, the Board's investigative committee found reasonable grounds to believe that the licensee violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
5. K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law, the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties, and the state agency believes in good faith, after investigation of the facts, that the allegations will be supported to the applicable standard of proof.

FINDINGS OF FACT

6. While employed at Ottawa Retirement Village the licensee increased a resident's IV drip from 74 cc an hour to 200ml an hour. The physician's order was for 75 cc an hour; the licensee increased this to 200ml an hour even though (i) she was not IV certified, and (ii) she had been previously advised of the danger to the resident of an increased drip rate.

VIOLATIONS

7. The above fact findings establish evidence that the Licensee violated the following provisions of the Kansas Nurse Practice Act:

Count 1: K.S.A. 65-1120(a)(3), to have committed an act of professional incompetency.

Count 2: K.S.A. 65-1120(a)(6) and K.A.R. 60-3-110, to be guilty of unprofessional conduct as defined by rules and regulations of the board; to wit: failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard each patient.

Count 3: K.S.A. 65-1120(a)(6) and K.A.R. 60-3-110, to be guilty of unprofessional conduct as defined by rules and regulations of the board; to wit: performing acts beyond the authorized scope of the level of nursing for which the individual is licensed.

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT

- 1. Licensee's license is indefinitely suspended. The suspension is effective 18 days after the date of the certificate of service below.**
- 2. Licensee shall not practice nursing in the state of Kansas.**

NOTICE OF ADMINISTRATIVE RELIEF

Pursuant to K.S.A. 77-537, this decision, which is called a Summary Order, is subject to your request for a hearing. If you desire a hearing, you must submit or direct a written request for hearing to: Kansas State Board of Nursing, Legal Division, 900 SW Jackson, Suite 1051, Topeka, Kansas 66612-1230, (785) 296-4325. **THIS REQUEST MUST BE SUBMITTED WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS ORDER.** Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.

If a hearing is not requested in the time and manner stated, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing. If a hearing is requested, the prior issuance of a summary order shall not affect the burden of proof.

NOTICE OF JUDICIAL RELIEF

If a request for hearing is not filed as stated above, then pursuant to K.S.A. 77-613 a party may file, within 30 days from the date of the Certificate of Service below, a petition for

judicial review with the appropriate district court as provided in the Kansas Judicial Review Act, K.S.A. 601 *et seq.* The designee who may receive service of a petition for judicial review is:

Carol Moreland, Executive Administrator
Kansas State Board of Nursing
900 SW Jackson, Room 1051
Topeka KS 66612

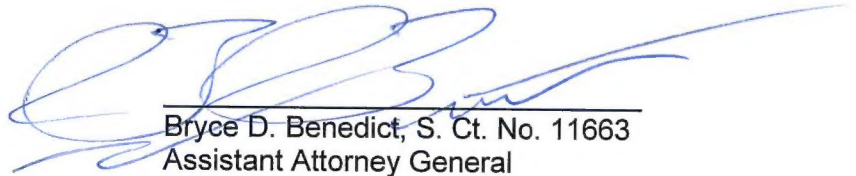


JoAnn Klaassen, RN, MN, JD
Investigative Committee, Vice Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 6th day of February, 2019, the foregoing copy of the Summary Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Cheyenne Lawson
2529 SW 22nd Street
Topeka KS 66611



Bryce D. Benedict, S. Ct. No. 11663
Assistant Attorney General